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Cc: Kelly, Myla[MKelly2@mt.gov]; Bowers, Kirsten[kbowers@mt.gov]; Suplee, Mike[msuplee@mt.gov]
From: Steinmetz, Amy
Sent: Fri 8/26/2016 11:15:18 PM
Subject: Nutrient Change (Clark Fork) for triennial review of Board WQS

Tonya and Kurt, please review the following. This supplements the rule amendments and justification that you (Tonya) and Kirsten (Kurt, Kirsten said you're "it" while she's gone) reviewed last week. I figured it would be easiest to just send these two pieces on the nutrient change by themselves. I'll get everything put together in a MAR notice next week.

ARM 17.30.715

(1)(a) through (c) remain the same.

(f) changes in the quality of water for any harmful parameter, nutrients listed at ARM 17.30.631, and parameters listed in Department Circular DEQ-12A, except as specified in (1)(g), for which water quality standards have been adopted other than carcinogenic, bioconcentrating, or toxic parameters, in either surface or ground water, if the changes outside of a mixing zone designated by the department are less than ten percent of the applicable standard and the existing water quality level is less than 40 percent of the standard;

(1)(g) through (4) remain the same.

Reason:

Most numeric nutrient standards around Montana are housed in Circular DEQ-12A and were adopted by the Board in 2014. However, the Board previously adopted numeric nutrient standards on the Clark Fork River and these are housed in ARM 17.30.631. During the adoption of DEQ-12A, which included the circular's inclusion in the nondegradation nonsignificance criteria (ARM 17.30.715), the changes that were made inadvertently excluded the earlier-adopted nutrient standards for the Clark Fork River from nondegradation review. This change will address this.

Thanks,

Amy